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FILED

ALAMEDA COUNTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

MAY 13 2019

FOR THE COUNTY OF ALAMEDA

CLERK OF THE SUPERIOR COURT

By C. L. Smith Deputy

COORDINATION PROCEEDING SPECIAL
TITLE (RULE 3.550)

JCCP NO. 4953

ROUNDUP PRODUCTS CASES

ASSIGNED FOR ALL PURPOSES TO
JUDGE WINIFRED SMITH

DEPARTMENT 21

THIS DOCUMENT RELATES TO:

**VERDICT FORM FOR
ALBERTA PILLIOD**

Pilliod, et al. v. Monsanto Company, et al.
Case No.: RG17862702

Trial Date: March 18, 2019

VERDICT FORM

PLAINTIFF ALBERTA PILLIOD

We, the Jury, answer the questions submitted to us as follows:

CLAIM OF DESIGN DEFECT

1. Did Roundup fail to perform as safely as an ordinary consumer would have expected when used or misused in an intended or reasonably foreseeable way?

Yes

☒

No

☐

If your answer to question 1 is yes, then answer question 2. If you answered no, proceed to question 3.

2. Was the design of Roundup a substantial factor in causing harm to Alberta Pilliod?

Yes

☒

No

☐

Answer question 3.

CLAIM OF STRICT LIABILITY—FAILURE TO WARN

3. Did Roundup have potential risks that were known or knowable in light of the scientific and medical knowledge that was generally accepted in the scientific community at the time of their manufacture, distribution or sale?

Yes

☒

No

☐

If your answer to question 3 is yes, then answer question 4. If you answered no, proceed to question 8.

1 4. Did the potential risks of Roundup present a substantial danger to persons when used in
2 accordance with widespread and commonly recognized practice?

3 Yes

4 ☒

No

☐

5 If your answer to question 4 is yes, then answer question 5. If you answered no, proceed to
6 question 8.

7 5. Would ordinary consumers have recognized the potential risks?
8

9 Yes

10 ☐

No

11 ☒

12 If your answer to question 5 is no, then answer question 6. If you answered yes, proceed to
13 question 8.

14 6. Did Monsanto fail to adequately warn of the potential risks?
15

16 Yes

17 ☒

No

18 ☐

19 If your answer to question 6 is yes, then answer question 7. If you answered no, proceed to
20 question 8.

21 7. Was the lack of sufficient warnings a substantial factor in causing harm to Alberta Pilliod?
22

23 Yes

24 ☒

No

25 ☐

26 Go to question 8.
27
28

CLAIM OF NEGLIGENCE

8. Was Monsanto negligent in designing, manufacturing, or supplying Roundup?

Yes

☒

No

☐

If your answer to question 8 is yes, then answer question 9. If you answered no, proceed to question 10.

9. Was Monsanto's negligence a substantial factor in causing harm to Alberta Pilliod?

Yes

☒

No

☐

Go to Question 10.

CLAIM OF NEGLIGENT FAILURE TO WARN

10. Did Monsanto know or should it reasonably have known that Roundup was dangerous or was likely to be dangerous when used in accordance with widespread and commonly recognized practice?

Yes

☒

No

☐

If your answer to question 10 is yes, then answer question 11. If you answered no, proceed to question 15.

11. Did Monsanto know or should it reasonably have known that users would not realize the danger?

Yes

☒

No

☐

If your answer to question 11 is yes, then answer question 12. If you answered no, proceed to question 15.

12. Did Monsanto fail to adequately warn of the danger or instruct on the safe use of Roundup ?

Yes

No

☒☐

If your answer to question 12 is yes, then answer question 13. If you answered no, proceed to question 15.

13. Would a reasonable manufacturer, distributor, or seller under the same or similar circumstances have warned of the danger or instructed on the safe use of Roundup?

Yes

No

☒☐

If your answer to question 13 is yes, then answer question 14. If you answered no, proceed to question 15.

14. Was Monsanto's failure to warn a substantial factor in causing harm to Alberta Pilliod?

Yes

No

☒☐

Go to Question 15.

CLAIM OF DAMAGES

If you answered yes to question 2, 7, 9, or 14, then answer the questions below about damages for Alberta Pilliod. If you did not answer or answered no to question 2, 7, 9, and 14, stop here, answer no further questions, and have the presiding juror sign and date this form.

15. What are Alberta Pilliod's damages?

Past economic loss:*

\$ 201,166.76

Future economic loss:

\$ 2,957,710

* If liability is found, the amount stipulated by the parties for past economic damages is \$201,166.76

1 Past noneconomic loss: \$ 8 million

2
3 Future noneconomic loss: \$ 26 million

4
5 Go to Question 16.

6 **PUNITIVE DAMAGES**

7 16. Did Monsanto engage in conduct with malice, oppression or fraud committed by one or more
8 officers, directors or managing agents of Monsanto acting on behalf of Monsanto?

9 Yes

No



11 If your answer to question 16 is yes, then answer question 17. If you answered no, stop here,
12 answer no further questions, and have the presiding juror sign and date this form.

13
14 17. What amount of punitive damages, if any, do you award to Alberta Pilliod?

15 \$ 1 billion

16
17
18
19 Signed:

[Redacted Signature]

20
21
22 Dated:

5/13/19